

### 2.03 Signage Requirements for Licensed Tow Businesses

Every licensed tow business that engages in non-consensual towing of motor vehicles shall ensure that the parking lot that such vehicles are towed from has clear, conspicuous signage posted in accordance with Section 995-303 of the Revised Code of the Consolidated City of Indianapolis and Marion County. All posted signs shall meet the following requirements:

a. Sign content.

The information contained on the sign must be readable during day and night to an average person standing a reasonable distance from the sign. All signs must contain the following information:

- i. That the parking lot is privately owned;
- ii. That unauthorized vehicles are subject to tow at the vehicle owner's expense;
- iii. The hour(s) or condition(s) that would subject vehicles to a tow; and
- iv. The name, phone number, and address of the licensed tow business.

b. Sign size.

All signs posted under this provision shall be no smaller than twelve inches (12") by eighteen inches (18") in size.

c. Sign placement and number.

Signs shall be positioned so that the required information is clearly and conspicuously visible to a person on the property where vehicles are parked. Signs shall meet the following requirements:

- i. The bottom of all signs must be no closer than thirty-six inches (36") from the grade of the street and no higher than seventy-two inches (72") from the grade of the street;
- ii. At least one (1) sign shall be visible at the entrance to the lot unless subject to the exemptions found in subsection (d);
- iii. For lots with sixty (60) vehicles or less, one (1) sign shall be required for every ten (10) parking spaces. For lots with more than sixty (60) vehicles, one (1) sign shall be required for every fifteen (15) parking spaces, provided that a minimum of seven (7) signs is provided; and
- iv. Signs shall be evenly distributed throughout the lot so that at least one (1) sign is conspicuously viewed from any single location.

d. Miscellaneous provisions.

A sign at each entrance to a parking lot shall not be required if the lot does not charge a fee for parking and the following conditions are met:

- i. The parking lot does not change the scope of its operations at different times (i.e., parking restrictions are constant and unchanged); and
- ii. The parking lot has fewer than twenty (20) spaces.

e. Existing signage.

Signage existing that is non-compliant with the content requirements of subsection (a) above at the time of the adoption of this regulation shall be permitted to remain on site. This existing, non-conforming signage, however, shall be supplemented with additional reference signs that meet the content requirements of this regulation. Additional reference signage shall be posted so as to be clearly conspicuous from any single location on the parking lot. If used in conjunction with existing, non-conforming signage, supplemental reference signs must be posted at a rate of one (1) sign per every twenty-five (25) spaces and may not be smaller than twenty-four inches (24") by twenty-four inches (24").

f. Variance.

Recognizing that there are circumstances that may not be fairly addressed by this regulation, signage may be deemed to be compliant even though it fails to meet the requirements established in this regulation provided that it can be reasonably determined by the license administrator that said signage conforms to the intent of Section 995-303 of the Revised Code. A request for variance from the established regulations shall include the following:

- i. A site plan or aerial photograph clearly indicating where all signage will be located;
- ii. Photos or drawings of all signs located on the site, including their content and dimensions; and
- iii. A written statement regarding how compliance with the sign regulations in these regulations would be unduly burdensome and how proposed signage is sufficient to inform a parking lot customer of the lot's conditions.

## 2.03 Insurance Requirements for Licensed Tow Businesses

Upon application for a tow business license, a tow business shall provide, via a certificate of insurance, evidence of the following insurance coverage:

- a. A valid general liability policy in the amount of no less than seven hundred and fifty thousand dollars (\$750,000.00) per incident that covers personal death, bodily injury, or property damage;
- b. A valid automotive liability policy in amount of no less than five hundred thousand dollars (\$500,000.00);
- c. A valid garage keeper's policy in the amount of no less than fifty thousand dollars (\$50,000.00) per incident that covers the loss, theft, vandalism, or other damage to a vehicle being stored; and
- d. Valid worker's compensation insurance in accordance with Indiana statutory requirements.